

## SUPPLY PROCUREMENT NOTICE

### Framework Contract for the Supply of Microwave Equipment and Telecommunications Towers.

#### Location – Kosovo

**1. Publication reference**

EuropeAid/128790/D/SUP/KOS

**2. Procedure**

Open

**3. Programme**

Council Joint Action 2008/124/CFSP of 04 February 2008 on the European Union Rule of Law Mission in Kosovo, (hereafter “EULEX Kosovo”).

**4. Financing**

Budget article 19 03 03.

Contract No CFSP/2008/16/EULEX Kosovo — De Kermabon

**5. Contracting authority**

The Head of EULEX Kosovo.

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## CONTRACT SPECIFICATIONS

**6. Description of the contract**

Framework Contract for the supply of PDH, SDH and Narrowband Microwave equipment and telecommunications towers.

The framework contract shall be concluded for a period of one year (1 year) with effect on the date on which it enters into force, (although the Framework contract may be terminated at short notice. See article 36 of the special conditions of the draft contract).

- **For lots 1 and 2 and 3 and 4: the time limits for delivery shall be 90 (ninety) days** from the reception by the contractor of a Purchase Order placed by the Contracting Authority.
- **For lot 5: the time limits for the supply and installation (in-situ) of towers shall be 60 (sixty) days.** (*The contracting authority will not impose the installation of more than one tower per week, unless agreed by the Contractor*).

## 7. Number and titles of lots

Lot 1	PDH/SDH Microwave Equipment
Lot 2	Narrowband Microwave Equipment
Lot 3	Power System
Lot 4	Telecommunications Shelters
Lot 5	Telecommunications Towers

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## TERMS OF PARTICIPATION

### 8. Eligibility and rules of origin

Participation in tendering is open to all legal persons participating either individually or in a grouping (consortium) of tenderers which are established in a Member State of the European Union, in an official candidate country, or a country that is a beneficiary of the Instrument for Pre-Accession Assistance, in a Member State of the European Economic Area, a country of the Western Balkans region or a contributing third State, as authorized by Council Joint Action 2008/124/CFSP of 04 February 2008 on EULEX KOSOVO, (see paragraph 22 below). Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the framework contract is financed.

The rule of origin has been derogated.

### 9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide to contracts procedures for EC external actions.

### 10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers **may not** submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

### 11. Tender guarantee

Tenderers must provide a tender guarantee of (**see below table with the amount per lot**) when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer(s) upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

Lot 1	PDH/SDH Microwave Equipment	Euros <b>10,000.00</b>
Lot 2	Narrowband Microwave Equipment	Euros <b>1,700.00</b>
Lot 3	Power System	Euros <b>1,700.00</b>
Lot 4	Telecommunications Shelters	Euros <b>900</b>
Lot 5	Telecommunications Towers	Euros <b>7,600.00</b>

## 12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of **5 % (five %)**, of the amount of the Framework contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

## 13. Information meeting and/or site visit

No information meeting is planned

## 14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

## 15. Period of implementation of tasks

The framework contract will enter into force on the date of its signature by both parties, but it will be only be implemented by means of “purchase orders” i.e. deliveries shall only take place following the issuance by the contracting authority of “purchase orders”.

- **For lots 1 and 2 and 3 and 4: the time limits for delivery shall be 90 (ninety) days** from the reception by the contractor of a Purchase Order placed by the Contracting Authority.
- **For lot 5 : the time limits for the supply and installation (in-situ) of towers shall be 60 (sixty) days.** (*The contracting authority will not impose the installation of more than one tower per week, unless agreed by the Contractor.*).

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) **Economic and financial capacity** of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided.

- **For lots 1 and 2:** the average annual turnover of the tenderer must exceed by three times the amount of its financial offer (aggregated value in case the two lots are tendered).
- **For lots 3 and 4:** the average annual turnover of the tenderer must exceed by two times, the amount of its financial offer (aggregated value in case the two lots are tendered).
- **For lot 5:** the average annual turnover of the tenderer must be at least equivalent to the amount of its financial offer.

2) **Professional capacity** of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)

- **For lots 1 and 2:** the tenderer must be an authorised dealer of the items offered i.e. it must have a manufacturer's authorization form.
- **For lots 3 and 4:** at least two staff currently work for the tenderer in fields related to the subject of these lots.
- **For lot 5:** at least 10 staff currently work for the tenderer in fields related to this contract; and the tenderer must have the capacity to supply and install one tower per week.

3) **Technical capacity** of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)

- **For lots 1 and 2:** the tenderer has worked successfully on at least 2 (two) projects related to the supply of Microwave Equipment in the past three years
- **For lots 3 and 4:** the tenderer has worked successfully on at least 2 (two) projects in fields related to the subject of these lots, in the past three years
- **For lot 5:** the tenderer has worked successfully on at least 5 (five) project(s) of construction of similar towers, to applicable international standards, in the past three years

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator.

## 17. Award criteria

Price.

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# TENDERING

## 18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>.

The tender dossier is also available from the Contracting Authority at <http://www.eulex-kosovo.eu>

Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to [tenders@eulex-kosovo.eu](mailto:tenders@eulex-kosovo.eu) or to EULEX Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo; (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19.

The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and <http://www.eulex-kosovo.eu>

## 19. Deadline for submission of tenders

**On 10 November 2009 at 15:00 hrs**, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

Any tender received after this deadline will not be considered.

## 20. Tender opening session

**On 10 November 2009 at 15:30 hrs**, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

## 21. Language of the procedure

All written communications for this tender procedure and contract must be in English.

## 22. Legal basis

Council Joint Action 2008/124/CFSP of 04 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo.